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 April 12, 2006

CIP 10426

Mr. John H. Robertus
 Executive Officer
 California Regional Water Quality Control Board
 San Diego Region
 9174 Sky Park Court, Suite 100
 San Diego, CA 92123-4340

2006 APR 18 P 12:00
 SAN DIEGO REGIONAL
 WATER QUALITY
 CONTROL BOARD

Dear Mr. Robertus:

Subject: ORDER NO. R9-2005-0173, "ADMINISTRATIVE ASSESSMENT OF CIVIL LIABILITY AGAINST METROPOLITAN TRANSIT SYSTEM, VIOLATION OF STATE WATER RESOURCES CONTROL BOARD ORDER NO. 99-08-DWQ"

Facility: MISSION VALLEY EAST LIGHT RAIL TRANSIT PROJECT SITE (WDID NO. 937S315837)

At their meeting of April 6, 2006, the Metropolitan Transit System (MTS) Executive Committee received a staff report on the status of MTS's compliance with the San Diego Regional Water Quality Control Board's (Regional Board) Order No. 99-08-DWQ. Included within the staff report was a request to have the MTS Executive Committee approve the submission of recommended Supplemental Environmental Projects (SEPs) to the Regional Board for funding approval. The Agenda and Minutes of this meeting can be accessed through the MTS website at

http://www.sdcommute.com/Agencies/MTS/MTDB/Executive_Committee.asp.

We are pleased to announce that we have made successful progress in meeting the terms of all the Articles outlined within the Order. But for Article 2b and Article 6 of the Order, all remaining Articles have been achieved.

Article 2b of the Order allocates \$50,000 of the \$150,000 liability towards a SEP that is to be approved by the Regional Board. Five applicants submitted ten separate applications to the Regional Board for consideration. These applications were then forwarded to MTS to decide which SEP would be recommended to the Regional Board for approval. At their April 6, 2006, meeting, the MTS Executive Committee took action to recommend the distribution of \$50,000 to three SEP's as noted in the following table:



Mission Valley Preserve Restoration Activities	\$16,500	San Diego River Park Foundation
Volunteers in Action Stewardship Trailer	\$16,500	San Diego River Park Foundation
Acquire Material and Equipment for River Restoration Kit	\$17,000	Lakeside River Park Conservancy
TOTAL	\$50,000	



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We respectfully request this recommendation be taken to the Regional Board for its approval and that you advise us of the meeting date it will be presented. With this action, MTS believes Article 2b to be completed.

Article 6 of the Order requires SANDAG to conduct a workshop to develop and/or refine construction language on future MTS transit-related improvement projects to achieve better compliance to the requirements of the NPDES General Permit. A task order to a SANDAG consultant is currently being processed which should allow for the achievement of Article 6 by the described June 1, 2006, date.

If you have any questions or need additional information on this matter, please contact Jim Linthicum, SANDAG Director of Engineering and Construction, at 619-699-1970.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul C. Jablonski", with a large, stylized flourish extending to the right.

Paul C. Jablonski
Chief Executive Officer

LTorio
L-CRWQCB-ROBERTUS.RRUELAS